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## NOTICE OF ALLOWANCE AND FEE(S) DUE

20792

7590

02/13/2009

MYERS BIGEL SIBLEY & SAJOVEC PO BOX 37428 RALEIGH, NC 27627 EXAMINER

OLSEN, KAJ K

ART UNIT PAPER NUMBER

1795

DATE MAILED: 02/13/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/755.843	01/12/2004	Orlin Velev	5051-668	8437	

TITLE OF INVENTION: DROPLET TRANSPORTATION DEVICES AND METHODS HAVING A FLUID SURFACE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$300	\$0	\$1055	05/13/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

#### HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

#### PART B - FEE(S) TRANSMITTAL

### Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

or <u>Fax</u> (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where

	ed below or directed oth	ng the Patent, advance of nerwise in Block 1, by (a							
CURRENT CORRESPOND		Note: A certificate of mailing can only be used for domestic mailings Fee(s) Transmittal. This certificate cannot be used for any other accomp papers. Each additional paper, such as an assignment or formal drawing have its own certificate of mailing or transmission.					v other accompanying		
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									(Signature)
									(Date)
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nonprovisional	YES	\$755	\$300		\$0		\$1055		05/13/2009
EXAM	MINER	ART UNIT	CLASS-SUBCLASS	S					
OLSEN	, KAJ K	1795	204-451000		_				
"Fee Address" ind PTO/SB/47; Rev 03-( Number is required.  3. ASSIGNEE NAME A PLEASE NOTE: Un	ND RESIDENCE DATA less an assignee is ident th in 37 CFR 3.11. Comp	" Indication form	or agents OR, alter (2) the name of a registered attorney 2 registered patent listed, no name wi THE PATENT (print of data will appear on the second control of the second contr	rnatives single of a tattor ll be or type he page an a	e firm (having as a gent) and the nam- neys or agents. If printed.  e)  utent. If an assign- assignment.	membes of uno name	er a 2	ocum	nent has been filed for
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4a. The following fee(s) ☐ Issue Fee ☐ Publication Fee (\) ☐ Advance Order -	permitted)	<ul> <li>4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)</li> <li>A check is enclosed.</li> <li>Payment by credit card. Form PTO-2038 is attached.</li> <li>The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number (enclose an extra copy of this form).</li> </ul>							
5. Change in Entity Sta	itus (from status indicated in SMALL ENTITY state		☐ b Applicant is no	a lone	ver claiming SMAI	LEN	FITY status. See 37 C	FR 1	27(g)(2)
NOTE: The Issue Fee an	d Publication Fee (if req	uired) will not be accepte	d from anyone other th						
interest as snown by the	records of the United Sta	tes Patent and Trademark	Omce.						
Authorized Signature					Date				
Typed or printed name			Registration No						
an application. Confiden	tiality is governed by 35 d application form to the ions for reducing this bu. Jirginia 22313-1450. DC	FR 1.311. The informatic U.S.C. 122 and 37 CFR USPTO. Time will vary rden, should be sent to th O NOT SEND FEES OR	1.14. This collection is depending upon the	is est: indiv	imated to take 12 r idual case. Anv co	ninutes mment	to complete, including on the amount of time	ng gat me vo	thering, preparing, and ou require to complete

PTOL-85 (Rev. 08/07) Approved for use through 08/31/2010.

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10/755,843	01/12/2004	Orlin Velev	5051-668	8437		
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MYERS BIGEL	SIBLEY & SAJOVE	OLSEN, KAJ K				
PO BOX 37428			ART UNIT	PAPER NUMBER		
RALEIGH, NC 27	627		1795			
		DATE MAILED: 02/13/2009				

### Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 577 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 577 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

	Application No.	Applicant(s)	
	10/755,843	VELEV, ORLIN	
Notice of Allowability	Examiner	Art Unit	
	KAJ K. OLSEN	1795	
The MAILING DATE of this communication appeal All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIOF the Office or upon petition by the applicant. See 37 CFR 1.313 1.   This communication is responsive to the amendment of 11	(OR REMAINS) CLOSED or other appropriate comn IGHTS. This application is and MPEP 1308.	in this application. If not included nunication will be mailed in due cours	se. <b>THIS</b>
2. ☑ The allowed claim(s) is/are <u>1,2,4-19,21-39</u> .			
<ol> <li>Acknowledgment is made of a claim for foreign priority ur</li> <li>a) All b) Some* c) None of the:</li> <li>1. Certified copies of the priority documents have</li> <li>2. Certified copies of the priority documents have</li> <li>3. Copies of the certified copies of the priority documents have</li> <li>International Bureau (PCT Rule 17.2(a)).</li> </ol>	been received. been received in Applicat	ion No	rom the
* Certified copies not received:			
Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONN THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.  4. A SUBSTITUTE OATH OR DECLARATION must be submin INFORMAL PATENT APPLICATION (PTO-152) which give	IENT of this application. itted. Note the attached E>	(AMINER'S AMENDMENT or NOTIC	
<ol> <li>CORRECTED DRAWINGS (as "replacement sheets") mus</li> <li>(a) ☐ including changes required by the Notice of Draftspers</li> </ol>	st be submitted.		
(a) ☐ including changes required by the Notice of Dranspers  1) ☐ hereto or 2) ☐ to Paper No./Mail Date	•	ew (F10-946) attached	
(b) ☐ including changes required by the attached Examiner's Paper No./Mail Date  Identifying indicia such as the application number (see 37 CFR 1 each sheet. Replacement sheet(s) should be labeled as such in t	s Amendment / Comment o	the drawings in the front (not the back	ι) <b>of</b>
6. DEPOSIT OF and/or INFORMATION about the depo attached Examiner's comment regarding REQUIREMENT	sit of BIOLOGICAL MAT	TERIAL must be submitted. Note t	the
Attachment(s)  1. ☐ Notice of References Cited (PTO-892)  2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)  3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date  4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material	6. ☐ Interview S Paper No 7. ☑ Examiner'	nformal Patent Application Summary (PTO-413), ./Mail Date s Amendment/Comment s Statement of Reasons for Allowand	ce

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Laura Kelley on February 4, 2009.

The application has been amended as follows:

In claim 5, the "3" was changed to --1--.

In claim 21, the "20" was changed to --18--.

In claim 22, the "20" was changed to --18--.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KAJ K. OLSEN whose telephone number is (571)272-1344. The examiner can normally be reached on M-F 5:30-2:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nam X. Nguyen can be reached on 571-272-1342. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Art Unit: 1795

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kaj K Olsen/ Primary Examiner, Art Unit 1795